

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRETT WITZENBURG,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No.: 3:24-cv-00041-MMD-CLB

ORDER

(ECF No. 3)

I. DISCUSSION

Plaintiff, a former inmate in the custody of the Nevada Department of Corrections, previously filed an application to proceed *in forma pauperis* for inmates. (ECF No. 3). However, Plaintiff has filed an updated address indicating that he is no longer incarcerated. (ECF No.13). Therefore, the Court denies Plaintiff's application to proceed *in forma pauperis* for inmates as moot. The Court directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner or pay the full filing fee of \$405 on or before **June 2, 2025**.

II. CONCLUSION

IT IS THEREFORE ORDERED that the application to proceed *in forma pauperis* for inmates (ECF No. 3) is **DENIED** as moot.

IT IS FURTHER ORDERED that, no later than **June 2, 2025**, Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the full filing fee of \$405.

IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this action will be subject to dismissal without prejudice. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff

1 can file a complete application to proceed *in forma pauperis* for non-prisoners or pay the
2 required filing fee.

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4 DATED THIS 2nd day of May 2025.

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6 UNITED STATES MAGISTRATE JUDGE
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